

prevention and treatment of minor infections resulting from exposure such as coryza, rhinitis, bronchitis, influenza and other nasal, laryngeal, bronchial and lobar affections."

On July 3, 1934, the Walgreen Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned that it be relabeled.

M. L. WILSON, *Acting Secretary of Agriculture.*

22673. Adulteration and misbranding of whisky. U. S. v. 41 Cases of Whisky. Product released under bond to be relabeled. (F. & D. no. 32676. Sample no. 72054-A.)

This case involved a product, labeled "Whiskey", which failed to conform to the requirements of the United States Pharmacopoeia, which failed to bear on its label a statement of the percentage by volume of alcohol, and which was labeled to convey a misleading impression of superiority.

On May 4, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 cases of whisky at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about November 28, 1933, by the Penn-Maryland Corporation, from Peoria, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Green River Whiskey—A Blend."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, or purity as determined by the tests laid down in the said pharmacopoeia, and its own standard of strength, quality, or purity was not stated on the label.

Misbranding was alleged for the reason that the statements on the bottle labels, (main label) "The Whiskey blend without a headache" and (secondary label) "All Government regulations have been complied with in the manufacture and bottling of this whiskey", were false and misleading. Misbranding was alleged for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On August 6, 1934, the Penn-Maryland Co., Inc., claimant, having admitted the allegations of the libel and having consented to the condemnation and forfeiture of the product, judgment was entered ordering that it be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned that it be relabeled.

M. L. WILSON, *Acting Secretary of Agriculture.*

22674. Misbranding of Bon Vino Health Restorer. U. S. v. 489 Bottles of Bon Vino Health Restorer. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32678. Sample nos. 67551-A, 67558-A.)

Examination of the drug preparation involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The bottle label bore no declaration of alcohol and the declaration on the carton was incorrect. The article purported to be wine, whereas it was not wine, and was labeled to convey the impression that it was made at Chenstohow, Poland, whereas it was manufactured in Buffalo, N. Y.

On May 3, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 489 bottles of Bon Vino Health Restorer at Newark, N. J., alleging that the article had been shipped in interstate commerce, on or about August 31, 1933, by Leo M. Abeles, from Buffalo, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Bon Vino Health Restorer * * * Bon Vino Products, Inc., Buffalo, N. Y. Manufactured by Chenstohow Medical Laboratories, Inc." Some of the packages were further labeled, "Wine of Chenstohow" and "Wine Czestochowskie."